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PATENT  
Attorney Docket No.: 8321-115

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent application of  
Bernhard Dietzschold *et al.* : Group Art Unit: 1648  
Serial No.: 09/816,531 :  
Filed: March 23, 2001 : Examiner:  
For: GENETICALLY ENGINEERED RABIES Laurie A. Scheiner  
RECOMBINANT VACCINE FOR :  
IMMUNIZATION OF STRAY DOGS :  
AND WILDLIFE :  
:

**DECLARATION OF BERNHARD DIETZSCHOLD UNDER 37 C.F.R 1.132**

I, Bernhard Dietzschold, declare as follows:

1. I am a member of the faculty of Thomas Jefferson University, 1020 Walnut Street, Philadelphia, Pennsylvania 19107, which University is the assignee of the above-identified patent application. I am a co-inventor of the invention of patent application 09/816,531.

2. I am also co-author, with Kinjiro Morimoto, Heather D. Foley, James P. McGettigan and Matthias J. Schnell, of the publication, "Reinvestigation of the Role of the Rabies Virus Glycoprotein in Viral Pathogenesis Using a Reverse Genetics Approach", *Journal of NeuroVirology*, (2000) 6, 373-381; a copy of which is attached hereto.

CERTIFICATE OF MAILING  
UNDER 37 C.F.R. 1.8(a)

I hereby certify that this paper, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date indicated below, with sufficient postage, as first class mail, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.

BY

*Amy M. Shea*

DATE:

*10/24/02*

3. At the time of the publication of the above-mentioned journal article, Kinjiro Morimoto and James P. McGettigan were employed by Thomas Jefferson University as postdoctoral fellows. Heather D. Foley was a graduate student at Thomas Jefferson University at the time of the publication. Kinjiro Morimoto, Heather D. Foley and James P. McGettigan each provided technical support with the research that is the subject matter of the journal article. This technical support provided by Kinjiro Morimoto, Heather D. Foley and James P. McGettigan consisted of the execution of experimental protocols at my direction and under my supervision.

4. Neither Kinjiro Morimoto, nor Heather D. Foley, nor James P. McGettigan made an inventive contribution to the invention claimed in patent application 09/816,531.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 10/15/02

Bernhard Dietzschold  
BERNHARD DIETZSCHOLD